

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Darnell Labake Clark**

**Docket No. 5:09-CR-300-1H**

**Petition for Action on Supervised Release**

COMES NOW Arthur B. Campbell, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Darnell Labake Clark, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on March 9, 2010, to the custody of the Bureau of Prisons for a term of 92 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Darnell Labake Clark was released from custody on February 05, 2016, at which time the term of supervised release commenced.

On January 10, 2017, a Violation Report was submitted to the court regarding the defendant testing positive for marijuana. Supervision was continued.

On February 6, 2018, a Revocation Hearing was held in front of Your Honor. The court found that the defendant had violated the terms and conditions of his supervision by committing two instances of criminal conduct. Supervision was continued under the same conditions previously ordered.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On July 26, 2018, the defendant was arrested after committing the crimes of Felony Breaking and Entering and Felony Larceny after Breaking and Entering (18CR213742) in Wake County, North Carolina. This case is pending in state court. The victim is the landlord of the defendant's rental residence. Clark denies the charges. While confronting the defendant about this arrest, the defendant admitted that he had used marijuana upon release from state custody and prior to reporting to the office. The probation office recommends that the defendant's conditions be modified to include 24 hours of community service as a result of the criminal noncompliance, and the defendant will be referred for a substance abuse assessment. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

**Darnell Labake Clark**  
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Reviewed and approved,

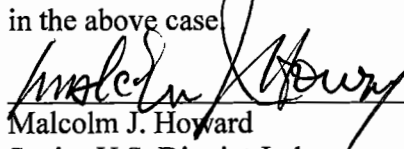
I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Michael C. Brittain  
Michael C. Brittain  
Supervising U.S. Probation Officer

/s/ Arthur B. Campbell  
Arthur B. Campbell  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8677  
Executed On: July 30, 2018

**ORDER OF THE COURT**

Considered and ordered this 31st day of July 2018, and ordered filed and made a part of the records  
in the above case

  
\_\_\_\_\_  
Malcolm J. Howard  
Senior U.S. District Judge